

REMARKS

Applicants respectfully request reconsideration and then allowance.

The amended claim 1 is based on the original specification, including claims, so as to avoid new matter and new issues. Since the number of claims will also be reduced with this Amendment, its entry after final is respectfully solicited.

Applicants respectfully traverse the rejections of claims 1-6 under 35 U.S.C. §103(a) over Yagi et al. (USP 4,894,281) in view of Nakajima (USP 6,207,600 B1).

The references would not have been combined. And, even if they were, their combination would not have taught the Applicants' inventions.

Before responding to the references themselves, Applicants respectfully acknowledge these admissions in the Office Action:

- 1) The "Yagi [reference] does not specifically show that the fibers have a melting point such that the formula of claim 1 is satisfied." Prior Office Action, page 2.
- 2) The "Yagi [reference] does not specifically show that a nucleating agent is added to the fibers as in instant claim 3." Prior Office Action, page 2.
- 3) The "Yagi [reference] does not show that the fibers have an average fiber diameter as in instant claim 6." Prior Office Action, page 2.

Yagi et al. does not show that fibers have melting points, nucleating agents, and average fiber diameters as in the instant invention. The current Office Action at page 2 concedes "Yagi does not specifically show these parameters ..."

Applicants respectfully submit that there is no reasonable motivation for combining Yagi and Nakajima. Applicants note their response to the previous Office Action, but insist,

respectfully, that Nakajima would not have provided any suggestions to use fibers containing nucleating agents as reinforcement for plastics. For example, contrary to the statement of the Examiner (Office Action, page 3), no fiber reinforced moldings are disclosed in column 1, lines 6-13.

Even the Examiner would acknowledge, the title to a patent specification sometimes fails to correctly reflect the disclosure in the patent specification. Nakajima is just another of the many examples of such cases. Nakajima does not disclose “Fibrous Moldings.” Nakajima only discloses a certain specific fiber (claim 1), primary fiber products such as knit fabric and fiber-processed products (column 9, lines 53-58), and secondarily processed products such as those described in column 10, lines 16-34. Nakajima does not teach any fiber-reinforced “plastic” moldings. Although Nakajima teaches a concrete reinforcement material column 10, line 32-33, it does not teach any reinforcement material for plastics.

On the other hand, the invention disclosed by Yagi et al. is characterized by using a molecularly oriented and silane-crosslinked ultra-high-molecular-weight polyethylene fiber in a fiber-reinforced polymer molded body (Abstract). Yagi does not suggest to substitute a polypropylene fiber for its requirement for a specific polyethylene fiber.

The Applicants furthermore respectfully submit that the Examiner’s reasoning seeks to invoke inherency, Office Action at page 3. However, this is an *ispe dixit* since the Office Action elsewhere acknowledges “Yagi does not specifically show these parameters.” The acknowledgment is also in the prior Office Actions, as seen from the quotations herein above. Besides there is no teaching, suggestion or motivation in the cited references to support the conclusions in the Office Action. Merely because some parameters, *e.g.*, fiber diameter, *might be* determined, it does not follow that the fiber diameter would have been obvious in the present claimed invention. Besides, Applicants respectfully submit that Office Action errs by relying on “routine experimentation” because it reflects a truncated analysis contravening 35 U.S.C. §103. See, e.g., In re Fay, 345 F2d 594 (CCPA 1965) (reversing obvious rejection based on allegations of “routine experimentation”), and 35 U.S.C. §103(a) (last sentence).

As described above, none of the cited references provides motivation to use a specific fiber, such as in Nakajima, in the composite of Yagi as an reinforcement of plastic matrix.

Finally, although the Examiner alleges that it is known in the art that nucleating agents increase adhesiveness between the fibers and the matrix reins, there is no evidence for such allegation. An Examiner's declaration is requested.

Applicants respectfully submit they have endeavored to respond to all matters to place their application in allowable form. Notice to such effect is respectfully requested.

Respectfully submitted,

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